

COLLEGE AN PHILADELPHIA

STAY IN PHILADELPHIA

Secretary Baker Confirms Action Mustering Them Out of Service.

UNFIT FOR ACTIVE DUTY, IN OPINION OF SURGEONS

Gen. Wood's Course Approved as Only Proper Thing to Do in View of Physical Condition.

The War Department today sustained the action of Maj. Gen. Leonard Wood in ordering Col. Louis D. Conley and Lieut. Col. John J. Phelan of the 69th New York Infantry mustered out of the federal service on account of physical disability.

Secretary Baker's Findings. In announcing the decision Secretary Baker said:

"On the 10th day of July the examining surgeon at Camp Whitman, N. Y., reported to department headquarters the result of a physical examination of Col. Conley and Lieut. Col. Phelan of the 69th New York Infantry militia regiment. In view of the high official position and excellent service of both Col. Conley and Lieut. Col. Phelan, this report was sent to the surgeon of the department with directions to answer the following questions: 1. Do you consider the new York capable of performing all the duties of his office in the field? 2. Do you consider his condition such as to warrant his acceptance into the service?"

Surgeon General Acquiesces.

"To both questions a negative answer was returned. Gen. Wood thereupon ordered the rejection of both officers. When the reports were finally sent to me they were referred to the acting surgeon general, who says:

"The disabilities noted by the examining officer in the case of Col. Louis D. Conley and Lieut. Col. John J. Phelan, 69th National Guard, are such as to disqualify them for active service under existing orders governing the entrance of all persons into the military service of the United States."

"It is, therefore, clear that the action taken by the medical department and the commanding general of the Eastern Department was the only proper action to be taken under the circumstances, and it is, therefore, being approved."

Reports Kept Secret.

"Since the detailed report of the physical examination and findings in these cases deal with questions affecting the health of these officers, I did not deem it considerate to make the report public. I have, however, directed that copies be sent to both Col. Conley and Lieut. Col. Phelan, and they are authorized to make the same public if they desire to do so, or to make any request for further examination which they desire to have made under the circumstances."

"It should be noted that the action taken by the medical and departmental officers in these cases is identical with that taken in many thousand cases affecting both enlisted men and officers of the National Guard and regular army throughout the United States. No question is raised as to their zeal, military capacity or character as officers, the only consideration being their own welfare and their ability to perform active military duties."

The New York city delegation in Congress lodged vigorous protest with the War Department against Gen. Wood's action, charging that it was arbitrary and unjustified. Senator O'Gorman and others went to the White House to direct the attention of the President to the case. It has been understood that the strongest kind of pressure was brought to bear to have the officers reinstated.

WINS PIE-EATING HONORS.

Stephen Bacon Captures Prize at Railway Employes' Outing.

Stephen Bacon is the champion pie eater of the Capital Traction Company. He established his claim to this title in the presence of about 3,000 persons who yesterday attended the all-day picnic given at Chesapeake Beach by members of the Capital Traction Company Employees' Relief Association and their families. Winners of other events which made up the day's amusements were: Charles Hogeage, 100-yard dash for boys under sixteen years, with Earl Jenkins second; Margaret Ladd, egg race for girls under sixteen years, with Louise Birdsey second; Henry Darcey, 100-yard dash for Ladd, egg race for married women, with Mrs. R. A. Dewey second; J. M. Mitchell, egg race for men, with N. A. Enoch second; Helen Lynn, 50-yard dash for girls under fifteen years, with Floy Dorey second; E. H. Gravatt, 50-yard dash for fat men, with Henry Ladd second. In the pie-eating contest, which was for boys under fourteen years of age, Angelo Martello finished second. Prizes ranging from baseball shoes to suits of clothes and meat hams were given to the winners.

RECENT CLERICAL CHANGES.

Announcement Made by the Department of Commerce.

The Department of Commerce has announced the following changes in its personnel: John H. Collier, clerk at \$1,600 in the office of the Secretary, has been transferred to clerk at \$1,800 in the bureau of foreign and domestic commerce.

In the bureau of foreign and domestic commerce the temporary appointments of Margaret G. Murray as expert (clerk) at \$900 and Jessie E. Jopling and Miss A. Murray as clerks at \$900 each have been extended.

In the bureau of fisheries Edward J. Dingley has been provisionally appointed as messenger boy at \$350.

In the bureau of standards Howard E. K. Jones, assistant chemist, has been promoted to \$1,400. Aaron Isaac has been promoted to assistant chemist at \$1,200. Alfred M. Heinselman, laboratory assistant, has been promoted to \$1,000. T. S. Shier, Jr., has been promoted as laboratory assistant at \$1,000. Harry A. Brady, laboratory assistant at \$1,000 at Pittsburgh, Pa., has resigned.

In the coast and geodetic survey Joseph Zuckler has been provisionally appointed as clerk at \$720, and Frank E. Hagan has been temporarily appointed as plate printer's helper at \$700.

Woman Republicans to Meet.

The Woman's National Republican Club is to meet in the gridiron room at the Willard Hotel at 8 o'clock this evening. All women with republican sympathies are invited to attend. Mrs. John D. Speil, president of the club, and out of the city, but one of the vice presidents will preside.

THE COURTS.

District Supreme Court.

EQUITY DIVISION—Chief Justice Cowington. Rigges agt. Dellus; pro confesso granted and reference to Albert H. Thompson, agt. Dellus; attorney, G. Percy McGuire. Callow agt. allow; leave granted to prosecute without prepayment of costs; rule returnable July 28; plaintiff's attorney, C. C. James. Frick agt. Frick; rule returnable July 26; plaintiff's attorney, Crandall Mackey; defendant's attorneys, Leckie, Cox & Kents. Russell agt. Mazza; time to file statement of evidence and transcript of record extended to August 2; plaintiff's attorney, C. V. Imlay; defendant's attorneys, Toomey & Toomey. Thompson agt. Thompson; W. C. Ashford appointed guardian ad litem; plaintiff's attorney, Crandall Mackey. Rawlings agt. Protestant Episcopal Theological Seminary and High School; Eliza Scott admitted as party and Trenholm Abrams appointed receiver; bond, \$500; plaintiff's attorney, E. Jones; defendant's attorneys, Thompson & Lasker. Hirsch agt. Hirsch; absolute divorce granted (by Justice Gould); plaintiff's attorneys, A. L. Newman and J. O. Owens; defendant's attorney, J. O. H. Alward.

By Justice Gould. Mayer agt. American Security and Trust Company, and Somervell agt. same; order raising fee agreement; plaintiff's attorney, R. Golden Donaldson.

Balleger agt. Balleger; rule to show cause returnable July 21; plaintiff's attorney, H. I. Quinn. Yoder agt. Stephenson; order instructing jury to return verdict for defendant; J. J. McMahon and John Ridout; defendant's attorney, George E. Sullivan.

Lincoln agt. American Security and Trust Company; time to answer rule extended to July 21; plaintiff's attorneys, Wright & Wampler; defendant's attorney, J. H. Hayden. Tripure Water System Company agt. Brownlee et al.; rule discharged; no prejudice; plaintiff's attorney, W. G. Gardiner; defendant's attorney, Frank J. Hogan.

Kengla agt. Kengla; sale decreed with H. A. Hegarty, S. D. Bradley and T. P. Myers as trustees; bond, \$500; plaintiff's attorney, T. Percy Myers; defendant's attorneys, S. Duncan Bradley, F. A. O'Neil and H. A. Hegarty. Metropolitan Loan and Trust Company agt. Washington Silicate Brick Company; order denying application for research and discharge; rule; plaintiff's attorneys, W. J. Lambert and D. W. Baker; defendant's attorneys, C. E. Carusi and J. L. Cassin.

Martin agt. Spalin, and Schulteis agt. Spalin (habes corpus); order remanding; bond, \$100 each, or deposit, \$50 each; attorney, H. E. Davis.

Parker agt. Semerney; sale decreed, with Raymond A. Heiskell, trustee; bond, \$900; plaintiff's attorney, R. A. Heiskell.

CIRCUIT DIVISION—Chief Justice Cowington. Hanback agt. Washington Railway and Electric Company (four cases); leave granted to file suits without prepayment of costs; plaintiff's attorneys, Sully agt. Hammond; time to file transcript extended to August 3; plaintiff's attorneys, Gitting & Chamberlin; defendant's attorneys, George P. Hoover, McKenney & Flannery.

CIRCUIT DIVISION—Justice Gould. Prince agt. Washington Terminal Company; time to submit motion for new trial extended to October 6; plaintiff's attorneys, George E. Sullivan and W. C. Englund; defendant's attorneys, Hamilton & Hamilton.

Henderson agt. Mann; motion for new trial overruled; order of judgment in dict for defendant for costs; appeal noted; cost bond, \$50; plaintiff's attorneys, Edmond Hill, and John Ridout; defendant's attorney, W. C. Sullivan.

Contorino agt. Singer Sewing Machine Company; dismissed for want of replication; plaintiff's attorneys, Toomey & Toomey; defendant's attorney, D. W. Baker.

PROBATE DIVISION—Justice Gould. Estate of Annie E. Nash; will admitted to probate and letters testamentary granted to Angela C. Torrens; bond, \$900; attorney, George E. Sullivan. Estate of Frank T. Rawlings; will admitted to probate and letters testamentary granted to Edgar E. Rankin; bond, \$1,500; attorneys, Leckie, Cox & Kents.

In re Roger Wagner; order to pay for legal services; attorney, A. L. Newman. Estate of Kate E. Kellers; letters of administration granted to Linnet V. Dayton; bond, \$400; attorneys, McLanahan, Burton & Culbertson.

In re Margaret A. Vanderslice; order of allowance; attorneys, H. G. Watts and J. H. Lichter. Estate of Meyer Scholnick; letters of administration granted to Florence Scholnick; bond, \$500; attorney, C. A. White.

Estate of Ellen Crall; order to accept certain sum for note; attorney, C. W. Pitts. Estate of Grace V. Steele; will admitted to probate and letters testamentary granted to Joseph D. Rogers; bond, \$900; attorney, A. C. Wells.

Estate of Paul Stephenson; order of publication; attorneys, H. W. Van Dyke. Estate of Mary A. McGrath; time to file inventory extended to April 1, 1917; attorney, W. C. English.

Estate of Thomas B. Redmond; time to file inventories extended to September 1; attorneys, D. W. O'Malley and Van Dyke. Estate of Joseph Holmes; leave granted to make certain expenditures; attorney, M. E. Heston.

Estate of Michael Brogan; order to sell note; attorney, Frederick A. Pennington. Estate of Frederick A. Thompson; letters of administration granted to Ellen Thompson; bond, \$900; attorney, R. F. Downing.

Estate of Elijah J. Teague; time to file account extended to August 4. Estate of Joseph Miller; will admitted to probate and letters testamentary granted to Mary L. Miller; bond, \$300; attorney, H. A. Heitner.

Estate of Amelia A. Helbig; will admitted to probate and record only; attorney, C. H. Hand.

Estate of Landonia C. White; order to distribute jewelry and household effects; attorney, W. C. Martin. Estate of William L. Pollard; time to file account extended to August 15; attorney, A. W. Green.

Estate of James H. Hamill; will admitted to probate and letters testamentary granted to Mary G. Hamill; bond, \$1,000; attorney, H. G. Kimball. Estate of Mary P. Sullivan; time to file account extended to August 17.

By Justice Gould. Estate of Henry Hayden; petition for letters of administration filed; attorney, A. Newman. Estate of John R. McLean; order directing American Security and Trust Company, administrator, to pay three-fourths of income to Edward B. McLean; attorneys, W. J. Lambert and J. W. Bailey.

Estate of Joanna N. Allen; will dated July 30, 1907, filed, with petition for probate; attorney, R. P. Sherry. Estate of Manville A. Austin; order to file report; attorney, G. L. Whitford. Estate of Noble E. Dawson; order of administration granted to Noble E. Dawson, Jr.; bond, \$2,500; attorneys, Tucker, Kenyon & Macfarlane.

Estate of Isidore Saks; will dated April 17, 1911, filed. Estate of Kate R. Sikkels; petition for letters of administration filed; attorneys, McLanahan, Burton & Culbertson. Estate of Mary E. Cavanaugh; petition for probate of will filed; attorney, E. H. McLachlen.

Estate of Lawrence J. Quill; petition for probate of will filed; attorney, George C. Gertman.

Military Orders Will Meet Here.

The Society of the Army of the Potomac and the military order of the Medal of Honor Society, are to hold their next annual conventions in Washington. This action was decided upon by the organization at its annual convention at Burlington, Vt., last week, following an invitation to meet in Washington, extended by the joint conventions committee of the Chamber of Commerce, Board of Trade and Retail Merchants' Association.

INFANTILE PARALYSIS CASES NUMBER FOUR

Another Is Reported to Local Health Department—All in Mild Form.

The fourth case of infantile paralysis to be discovered in Washington since the outbreak of the New York epidemic was reported to the health department today.

Raymond P. Miller, three years old, of 725 Irving street northwest is the latest patient. The other three, according to health department records, are Milton Harrison, one year old, of 1213 Potomac avenue southeast; Catherine Monihan, one year old, of 44 K street northeast, and Alta J. Cookman, two years old, of 514 Taylor street northwest.

All four cases are of mild form and in two of them there is doubt as to whether correct diagnosis has been made.

Will Not Placard Houses.

In view of the fact that the scourge has not reached epidemic form here, and also because of uncertainty as to their authority in the matter, the Commissioners for the present have decided not to placard the houses in which the patients are being treated.

The decision was reached today after a number of conferences between Commissioner Newman, Dr. John L. Norris and Dr. William C. Fowler of the health department, and Francis H. Stephens, assistant corporation counsel.

The law passed by Congress in 1897 giving the Commissioners authority to placard houses in case of certain diseases makes no mention of infantile paralysis.

It may be stated authoritatively, however, that if the mildly should gain a sufficient foothold here to threaten an epidemic, the Commissioners, under a broad interpretation of their police power for protecting the public, would immediately require the boarding up of all houses in which the scourge is discovered.

Seek to Reduce Danger.

Both the health and street cleaning departments are bending every effort to bring about strict compliance with the District's sanitation regulations in order that danger of the spread of the disease may be reduced to a minimum.

The street cleaning department, it was announced today, will prosecute householders who leave the tops off their garbage cans. Covered garbage receptacles and properly screened houses will go a long way, it is believed, toward keeping the scourge from spreading.

Sanitary inspectors of the health department are keeping a close watch on the streets and alleys, and the health department is making every effort to keep the streets clean and free of garbage.

Suggestions to Prevent Disease.

Dr. John L. Norris, assistant health officer, today issued the following statement containing suggestions for preventing the development of infantile paralysis:

"Parents should see that their children do not place in their mouths any substance which has been in contact with the lips of another child. Transference of a toy, horn, whistle or similar article is to be avoided, and any child who has been in contact with another person who has been in contact with the lips of another person is to be looked upon as a source of danger unless such vessel, container or toy is known to have been sterilized since previous use. The only safe and practical method of sterilizing such articles is by means of boiling water. The mere removal of the visible dirt or grease by washing with lukewarm water or alkaline soap, cannot be relied upon."

"The means by which the infection of infantile paralysis is ordinarily conveyed has not as yet been definitely determined. The disease has been known to be carried by the saliva of a child and it has been demonstrated that the excreta from the nose, throat and digestive tract of persons suffering from the disease contain the infection. Carriers, persons who harbor the germ in the nose and throat, and yet because of an immunity which they possess prevent no physical symptoms, are capable of conveying the disease and of distributing it to susceptible persons."

Proper Screening Urged.

"The health department is giving particular attention to stables at the present time, with a view to the elimination of fly-breeding places, and urges persons to see that their premises are properly screened against flies."

"If a patient presents symptoms of the disease the regulations require that the patient be isolated, and there is probably little or no danger of infection being spread in such cases. A carrier may be present in the District, or may be brought here, but even so, such carrier need not necessarily be a great menace, providing the sanitary precautions are observed."

INFANTILE PARALYSIS TAKES ANOTHER JUMP

Thirty Children Die and 142 Others Are Stricken in Boroughs of New York City.

NEW YORK, July 13.—Both deaths and new cases in the infantile paralysis epidemic took another jump today. During the twenty-four hours ending at 10 a. m. today the disease killed thirty children and attacked 142 others in the five boroughs of New York city.

This is an increase of 150 per cent in both the mortality rate and development of the plague in the last forty-eight hours. Since the inception of the disease of June 26 there have been 227 children stricken, of whom 456 died.

Despite the apparent spread of the disease after it was thought to have been checked, health officials were still optimistic today. Health Commissioner Emerson declared that in an epidemic of this kind the number of deaths and cases always were irregular and might increase or decrease without any real significance.

First Adult Case in Toledo.

TOLEDO, Ohio, July 13.—The first adult case of infantile paralysis in Toledo was confirmed last night by City Epidemiologist C. S. Mundy, after several physicians had diagnosed the ailment. The victim is a child, Gallagher, twenty-one years old.

There are now seventeen confirmed cases in the city.

Playgrounds Fine and Active.

Following a visit to several school playgrounds yesterday, Ernest L. Thurston, superintendent of schools, today stated he had found them in good shape and "very busy." This is the height of the season for the school playgrounds.

LIBBY PARK PURCHASE DESIRED IN PETWORTH

Citizens' Association Also Discusses Open-Air Meeting and Flower Show.

An open-air meeting in August, with refreshments, to be arranged for by the entertainment committee; the feasibility of a flower show in the fall, to be inquired into by the committee on lawns and flowers, and a petition to Congress, signed by every man, woman and child in Petworth, for the purchase of Libby Park as a public park, to be prepared by the committee on parks, were voted for by the Petworth Citizens' Association last night, at the meeting held in the Petworth M. E. Church, 8th and Shepherd streets northwest.

Three new members were admitted to the association, Rev. F. Paul Langhorne, who made an address; Harry A. Beck of 4327 8th street northwest, and E. C. Davis, 734 Varnum street northwest.

Scores Hospital Location.

Beyond this the meeting developed into a "conversation," as President James described it, devoted largely to the discussion of means to defeat what was declared "the unjust and deplorable attempt to plant the new municipal hospital, with its attending evils, at the very front door of Petworth"; of the successful rose show held in June and of the children's parade on the Fourth of July, of which the members of the association seemed unusually proud.

A suggestion from Jesse C. Suter that efforts be made to organize a boy's band and drum corps in Petworth, inasmuch as the boys were invoking the aid of the women in the matter, was permitted, at the president's suggestion, to a "whistle before action."

Mr. Suter, referring to the Borland amendment requiring owners of abutting lots to pay proportionately for street improvements, said it undoubtedly injured the progress of Petworth, and regretted the purchase of a home had rejected a desirable offer because of the fear that he would have to pay for the improvement of two streets. Mr. Suter also referred to the Cresser bill for the municipal ownership of street railways.

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CARL GILBERT DROWNED BATHING IN TIDAL BASIN

Although There Were Many Swimmers in the Neighborhood No One Heard a Cry of Distress.

Carl Gilbert, nineteen years old, of the La Grande, was drowned while swimming in the tidal basin yesterday afternoon. The body was recovered last night.

Gilbert, employed as a clerk at the headquarters of the American Federation of Labor, in the company of two companions, Francis E. Warren of 915 L street northwest and Smith Lanter, residing at 213 12th street southwest, entered the water at 5:45 o'clock. After swimming for a short time his companions started to swim farther out in the basin, leaving Gilbert at the float, where he said he would remain.

On returning to the float about thirty minutes later, his companions did not find Gilbert. Thinking he was in the boathouse dressing, they did not go in until a few minutes later. Upon entering the boathouse they were surprised to find Gilbert's locker closed.

The attendant and manager were immediately notified. Warren said today and the park police given the young man's name and address and told to notify the harbor police. Before the harbor police arrived his companions entered the water and dived for him. There were perhaps fifty swimmers around the float, and many spectators around the basin, but no one heard a cry or saw the young man go down, it is declared.

The body is to be taken to Delhi, N. Y., his former home, tonight for burial. Mrs. Gilbert, the young man's mother, is to accompany the remains there.

PROTECTION FOR BATHERS.

Col. Harts Wants Appropriation for Additional Park Policemen. Additional life-saving protection will be afforded swimmers in the tidal basin if a recommendation to be made to Congress next year by Col. W. W. Harts of the office of public buildings and grounds is approved. Col. Harts wants an appropriation for additional park policemen to be stationed in the vicinity of the basin. Policemen now on duty there are instructed to keep as close watch on the bathers as possible, but a larger force is thought to be needed for more efficient protection.

According to Col. Harts, the operator of the float in the basin employs at his own expense two guards who are expert swimmers, and the activity of these men, he said, undoubtedly has prevented many fatalities in the past.

HALIFAX ROTARY CLUB MEMBERS GONE TO WAR

Few Are Left to Attend Convention in Cincinnati—Opening Session Is Brief.

CINCINNATI, Ohio, July 13.—Only a short business session was held this morning by the delegates attending the seventh annual convention of the International Rotary Clubs, in session here.

During this session only general discussion occurred. The session was taken up with an outing at Coney Island.

Most all members of the Halifax, Nova Scotia, Rotary Club have gone to the war, according to Walter P. Parker, president of the club, who is attending the convention with five other members.

The trade section of theater-managers of rotary, a special meeting, resolved: That they in their particular field of amusement will endeavor to embody the ideals and principles of Rotary and to use as a standard the motto, "He profits most who serves best."

Memphis and Atlanta will play in the finals of the Rotary golf tournament today, while Indianapolis will play Florida, Ill., in the semi-finals of the tennis tournament. The winner on the tennis courts will meet Salt Lake City in the finals tomorrow.

The world's present potato crop is approximately large enough to fill two-thirds of the Panama canal.

That P-B "Super-Sale" Mid-Summer Clearance for Discriminating Men

ONE of the two and only two sales held each year—legitimate clearances at the end of the seasons—offering genuine and generous price reductions on the highest quality wearables made for men.

Thousands of P-B Spring and Summer Suits. "That" P-B Shirt Sale, \$1.50, 1.25, 1.15 and 1.00 Shirts, 79c.

Manhattan, Flannels and All Silks Not Included.

\$6.50 to 7.50 Panamas, 3.69.

\$6.50, 6 and 5 Teck Oxfords, 4.25.

Parber, Budget & Co.

The Avenue at Ninth

Home of Cut Prices

We Always Sell it for Less

PEOPLE'S DRUG STORES

Specials for Thursday, Friday and Saturday

FREE—A jar Palmolive Vanishing Cream or a box Palmolive Face Powder free with three 15c cakes of Palmolive Soap. A regular 95c value. All for 44c.

Rigg's Disease

Can be prevented by the use of Ipecac Tooth Paste.

Also hardens the gums and whitens the teeth.

25c size, 19c

Lyon's Tooth Powder.

25c size, 15c

Pebco Tooth Paste.

50c size, 15c